

FINAL

MARION CONSERVATION COMMISSION
MINUTES OF THE REGULAR MEETING HELD ON JULY 16, 2008

Members Present: Norman A. Hills, Chairman
Jeffrey W. Oakes, Vice Chairman
Joel D. Hartley, Associate

Members Absent: Sherman E. Briggs, Jr.
Lawrence B. Dorman
Bruce C. Hebbel
Horace S. Kenney, Jr., Associate

Secretary: Diane R. Drake

Others Present: Mark Fantoni, Robert Marcolini, N. Douglas Schneider and son,
Kevin Forgue and Bruce Cobbold.

Due to the lack of a quorum, the July 2, 2008 meeting in the Town House conference room was unable to convene until 7:10 PM when Associate Member Joel D. Hartley arrived. Site inspections were held on Saturday, July 12, 2008 by J. Oakes and L. Dorman.

7:10 PM **MARK FANTONI**- RFD (41D-1356) to install an underground propane tank at 370 Delano Road. Mark Fantoni was present and said the location of the tank was chosen because it is an area of ongoing construction, the grinder pump is nearby, the whole lot is basically in the velocity zone anyway, and it will be easy to access it from the road. J. Oakes moved to close the hearing; J. Hartley seconded; voted unanimously. J. Oakes moved to issue a negative determination of applicability for box no. 2; J. Hartley seconded; voted unanimously.

7:20 PM **ROBERT S. MARCOLINI II** – RFD (41D-1357) to expand a patio, rebuild retaining walls, pave a driveway and install a fence at 912 Point Road. Robert Marcolini was present. J. Oakes said his main issue with the project is that it is being built right up to the wetland line without a no-touch buffer zone. R. Marcolini said the pavers he would like to use are 2" by 6", are porous to allow infiltration, and will have spacing between them instead of cement. J. Oakes said the Commission can either get the paver specifications recommended by Mr. Marcolini's landscape contractor or can provide specifications for pavers they prefer, shown in the M.A.C.C. newsletters. J. Oakes suggested creating a 5' no-touch buffer zone to the wetland line, which would make the patio 17' long rather than 22'. R. Marcolini said the fence will be chain link, picket or privacy. J. Oakes was not in favor of transplanting wetland plants from the replication area in front of the house to the buffer zone around the patio, and thought the area would revegetate naturally. J. Oakes thought it would be better for the driveway to be pitched toward the replication area rather than toward the road. J. Hartley thought a temporary siltation fence should be installed along the wetlands out back during the construction phase. Rather than hold up issuing the permit until the

Commission's next meeting in three weeks, J. Oakes moved to close the hearing now but hold off mailing the permit until the type of pavers is decided on; J. Hartley seconded; voted unanimously. J. Oakes moved to issue a conditional negative determination for box #3 with conditions specifying the type of pavers, the installation of a siltation fence, and the creation of a 5' buffer zone to the wetlands; J. Oakes seconded; voted unanimously.

7:45 PM **BRUCE AND DIANA COBBOLD** – NOI (SE 041-1098) to construct a single-family dwelling and driveway, relocate a 12"-diameter outfall drain pipe, and grade as necessary at 339 Front Street (continued from July 2, 2008). Bruce Cobbold was present with his engineer, Kevin Forgue of G.A.F. Engineering. K. Forgue submitted a revised plan showing the house configuration 10' from the northern property line rather than 14', and said it will still be 30' minimum from the wetlands. He said the outfall pipe is buried and there is a depression at the end of it. N. Hills asked whether the existing outfall is where the pile of rocks is and the trench; K. Forgue said the outfall is 20' from wetland flag #3. N. Hills suggested changing the proposed outfall riprap to conform to the slope of land as that will be the direction of water flow. J. Oakes said stormwater regulations do not apply to single-family homes. K. Forgue said he can put a hood (also known as a "snout" or oil/gas separator) on the outlet pipe to filter runoff. K. Forgue said the walk-out basement will not be finished and will allow flood waters to flow out in accordance with F.E.M.A. standards. He said the driveway will be of shells. N. Douglas Schneider was present on behalf of Mrs. Worley, the abutter to the south. He said she was worried about runoff onto her land, but he inspected the discharge point and the slope of the land will cause the outflow to veer away from her property, which will be fine. J. Oakes moved to close the hearing; J. Hartley seconded; voted unanimously.

DONNA DiBONA's request for a Certificate of Compliance for the new dwelling at 48 Cranberry Way was discussed (SE 041-1052). Kevin Forgue was present to answer any questions the Commission might have. J. Oakes said there are no problems with the house, but slash has been dumped within the buffer zone to wetlands. K. Forgue said he did not think a boulder line would accomplish anything because there already is a discharge pipe and ditch on the abutting lot. N. Hills suggested placing the boulder line 5' from the edge of pavement rather than as shown on the plan of record. J. Oakes asked K. Forgue whether the owner will agree to installing a permanent split rail fence instead of a boulder line. N. Hills said the propane gas tank buried beside the house is not shown on the as-built plan; K. Forgue said that is a required as-built foundation plan for approval of the foundation location. K. Forgue said a boulder line will be placed 5' from the pavement. Another site inspection will be held on August 2, 2008 and the certificate of compliance will be voted on at the Commission's next meeting on August 6, 2008.

8:15 PM **JOSEPH E. AND ANNE H. McDONOUGH**'s request for a certificate of compliance for demolishing the garage at 63 Moorings Road, constructing a new garage, a guest wing addition, a deck and patio, a stormwater collection system, and filling/grading the lawn was discussed (SE 041-1073). J. Oakes said everything looks fine and there is no scouring. J. Oakes moved to issue a full certificate of compliance; J. Hartley seconded; voted unanimously.

N. Hills drafted **BRUCE AND DIANA COBBOLD**'s order of conditions to construct a dwelling and driveway, and relocate a 12" outfall drain pipe at 339 Front Street (SE 041-1098). J. Oakes moved to issue it as written; J. Hartley seconded; voted unanimously.

Meeting adjourned at 8:30 PM.

Diane R. Drake, Secretary

Approved August 6, 2008